

CHARTER
UNITED STATES MILITARY ACADEMY BOARD OF VISITORS

1. Committee's Official Designation: The Committee shall be known as the United States Military Academy Board of Visitors (hereinafter referred to as "the Board").
2. Authority: The Secretary of Defense, under the provision of 10 U.S.C. § 4355, the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended), and 41 C.F.R. § 102-3.50(a) (required by statute), established the Board.
3. Objectives and Scope of Activities: The Board shall provide independent advice and recommendations on matters relating to the United States Military Academy (hereinafter referred to as "the Academy"), as set out below in paragraph four below.
4. Description of Duties: The Board shall provide independent advice and recommendations to the President of the United States on matters to morale and discipline, curriculum, instruction, physical equipment, fiscal affairs, academic methods, and any other matters relating to the Academy that the Board decides to consider.

The Board shall visit the Academy annually. With the approval of the Secretary of the Army, the Board or its members may make other visits to the Academy in connection with the duties of the Board or to consult with the Superintendent of the Academy. The Board shall submit a written report to the President within 60 days after its annual visit to the Academy, to include the Board's views and recommendations pertaining to the Academy. Any report of a visit, other than the annual visit, shall, if approved by a majority of the members of the Board, be submitted to the President within 60 days after the approval.

5. Agency or Official to Whom the Committee Reports: The Board shall report to the President of the United States. The Secretary of the Army, in accordance with DoD policies/procedures, may act upon the Board's advice and recommendations.
6. Support: The DoD, through the Secretary of the Army and the Superintendent of the Academy, shall provide support, as deemed necessary, for the performance of the Board's functions, and shall ensure compliance with the requirements of the FACA, the Government in the Sunshine Act of 1976 (hereinafter referred to as "the Government in the Sunshine Act") (5 U.S.C. § 552b), governing Federal statutes and regulations, and governing DoD policies and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately \$61,000.00. The estimated annual personnel cost to the DoD is .15 full-time equivalents.
8. Designated Federal Officer (DFO): The Board's DFO, pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with governing DoD policies/procedures.

The Board's DFO is required to be in attendance at all Board and Subcommittee meetings for the entire duration of each and every meeting; however, in the absence of the DFO, an Alternate DFO, duly appointed to the Board according to DoD policies/procedures, shall attend the entire duration of the Board or Subcommittee meeting.

The DFO, or the Alternate DFO, shall call all of the Board's and Subcommittees' meetings; prepare and approve all meeting agendas; adjourn any meeting when the DFO or the Alternate DFO determines adjournment to be in the public interest or required by governing regulations or DoD policies/procedures; and chair meetings when directed to do so by the Secretary of the Army or designee.

9. Estimated Number and Frequency of Meetings: The Board shall meet at the call of the Board's DFO, in consultation with the Chairperson. The estimated number of Board meetings is three per year.
10. Duration: The need for this advisory function is on a continuing basis; however, this charter is subject to renewal every two years.
11. Termination: The Board shall terminate upon rescission of 10 U.S.C. § 4355.
12. Membership and Designation: The Board, pursuant to 10 U.S.C. § 4355, shall be constituted annually and composed of 15 members. The Board membership shall include:
 - a. The Chairperson of the Senate Committee on Armed Services, or designee;
 - b. Three other members of the Senate designated by the Vice President or President pro tempore of the Senate, two of whom are members of the Senate Committee on Appropriations;
 - c. The Chairperson of the House Committee on Armed Services, or designee;
 - d. Four other members of the House of Representatives designated by the Speaker of the House of Representatives, two of whom are members of the House Committee on Appropriations; and
 - e. Six persons designated by the President.

Board members designated by the President shall serve for three years each, except that any member whose term of office has expired shall continue to serve until a successor is appointed. In addition, the President shall designate two persons each year to succeed the members whose terms expire that year.

If a member of the Board dies or resigns, a successor shall be designated for the unexpired portion of the term by the official who designated the member.

The Board members shall select the Board Chairperson from the total membership.

Board members who are full-time or permanent part-time Federal officers and employees shall be appointed as regular government employees or *ex officios* as appropriate. Board members designated by the President, who are not full-time or permanent part-time Federal officers or employees, shall be appointed to serve as special government employees under the authority of 5 U.S.C. § 3109.

With the exception of travel and per diem for official travel, Board members shall serve without compensation.

The Board, pursuant to 10, U.S.C. § 4355(g), may, upon approval by the Secretary of the Army, call in advisers for consultation, and these advisers shall, with the exception of travel and per diem for official travel, serve without compensation.

13. Subcommittees: The Department, when necessary and consistent with the Board's mission and DoD policies/procedures, may establish Subcommittees, task forces, or working groups to support the Board. Establishment of Subcommittees will be based upon written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the Board's sponsor.

Such Subcommittees or working groups shall not work independently of the chartered Board, and shall report all of their recommendations and advice solely to the Board for full deliberation and discussion. Subcommittees, task forces, or working groups have no authority to make decisions and recommendations, verbally or in writing, on behalf of the chartered Board; nor can any Subcommittee or its members update or report directly, verbally or in writing, to the DoD or any Federal officers or employees.

All Subcommittee members shall be appointed by the Secretary of Defense according to governing DoD policies/procedures, even if the member in question is already a Board member. Such individuals shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109, and shall serve as special government employees. Subcommittee members, with the approval of the Secretary of Defense, may serve a term of service on the Subcommittee of one to four years; however, no member shall serve more than two consecutive terms of service on the Subcommittee, unless authorized by the Secretary of Defense. All Subcommittee member appointments must be renewed on an annual basis. With the exception of travel and per diem, Subcommittee members shall serve without compensation.

All Subcommittees, task forces, or working groups shall operate under the provisions of the FACA, the Government in the Sunshine Act, governing Federal statutes and regulations, and governing DoD policies/procedures.

14. Recordkeeping: The records of the Board and its Subcommittees shall be handled according to section 2, General Record Schedule 26 and governing Department of Defense policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552).

15. Filing Date: November 16, 2012